

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

MARK SHANNON WHEELER,	)	
AIS# 139044	)	
Plaintiff,	)	
	)	
	)	
v.	)	Case #2:06-CV-274-MHT
	)	
	)	
	)	
BILL SEGREST,	)	
	)	
Defendant.	)	

**MOTION TO FILE SUPPLEMENTAL SPECIAL REPORT OUT-OF-TIME**

Comes, now, the Defendant, William C. Segrest moving for permission to file out-of-time, a Supplemental Special Report, as Ordered by the Court on June 19<sup>th</sup>, 2006, July 14<sup>th</sup>, 2006 and August 14<sup>th</sup>, 2006, and shows unto the Court the following:

1. Attorney for the Defendant seeks the Court's indulgence for not having filed the Ordered Supplemental Special Report in a timely manner.

2. Attorney for the Defendant accepts full responsibility for not having inner office procedures to prevent overlooking our obvious obligations.

3. Plaintiff seeks relief from a person/state official who has no authority to grant the relief sought.

4. Plaintiff has not been prejudiced by the delay.

5. Plaintiff has previously litigated this issue in State Court, with a ruling for the Defendant.

Respectfully submitted,

TROY KING  
ATTORNEY GENERAL

GREGORY O. GRIFFIN, SR.  
CHIEF COUNSEL

s/STEVEN M. SIRMON  
ASSISTANT ATTORNEY GENERAL  
State Bar#: ASB-5949-S61S  
Ala. Bd. Pardons and Paroles  
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**CERTIFICATE OF SERVICE**

I hereby certify that on 8-25-2006 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: (None), and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

**MARK SHANNON WHEELER  
AIS #139044  
KILBY CORRECTIONAL FACILITY  
P.O. BOX 150  
MT. MEIGS, AL 36057**

Done this **25th** day of **August 2006**.

Respectfully submitted,

s/ STEVEN M. SIRMON  
ASSISTANT ATTORNEY GENERAL  
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